



## Trustee Role Description and Acceptance of Responsibilities

### Overall Purpose

The board of trustees are jointly and severally responsible for the overall governance and strategic direction of the charity, and financial health, probity of its activities, developing the organisation's aims, objectives and goals in accordance with the governing document, legal and regulatory guidelines.

All trustees should be aware of, and understand, their individual and collective responsibilities, and should not be overly reliant on one or more individual trustees in any particular aspect of the governance of the charity. For example, all trustees should be able to read the financial accounts to a level that they can ask questions and comprehend answers of a general nature.

### Main Responsibilities

- To ensure that the charity, and its representatives, function within all legal and regulatory requirements applicable, and in line with the Trust Deed, continually striving for best practice in governance.
- To maintain the fiduciary duty invested in the position, undertaking such duties in a way that adds to public confidence and trust in the charity.
- To take appropriate professional advice in all matters where there may be a material risk to the charity, or where the trustees may be in breach of their duties.
- To determine the overall direction and development of the charity through good governance and clear strategic planning.
- To avoid any personal conflict of interest.
- To manage and use the resources of the charity so as to optimise its potential.
- To ensure that robust systems are in place for internal financial control and the protection of the charity's funds and assets.
- To undergo a thorough induction upon appointment and ongoing training to remain alert to, and aware of, their duties and responsibilities, and of the environment in which they operate.
- To achieve the purpose of the charity and to pursue the charitable objects, and provide public benefit.

### Main Duties

- Ensuring the charity complies with legislative and regulatory requirements, and acts within the confines of its governing document and in furtherance to the charitable objects.
- Acting in the best interest of the charity, beneficiaries and future beneficiaries at all times.
- Promoting and developing the charity in order for it to grow and maintain its public benefit and recognising the situation when it may be more appropriate to wind the charity up where there is no longer a need for the charity to provide the services it does or because the charitable objects are no longer relevant to contemporary social situations.
- Maintaining sound financial management and control of the charity's resources.
- Ensuring a fully effective and appropriate system for the recruitment, appointment and monitoring of the work and activities of the trustees, volunteers and staff.
- Ensuring the effective and efficient administration of the charity and its resources, striving for best practice in good governance.
- Acting as a counter-signatory on charity cheques (including any electronic transactions) and any applications for funds.
- To maintain absolute confidentiality about all aspects of the trustees' business, bearing in mind the overriding legal obligations placed upon trustees.



## **Statutory Duties**

The following is a précis of the legal duties trustees must fulfil:

- Duty of trust;
- Duty to comply with the charity's governing document (The Trust Deed);
- Duty to act in the best interests of the charity, present and future beneficiaries;
- Duty to avoid conflicts of interest;
- Duty to safeguard assets;
- Duty not to benefit from their position;
- Duty of care;
- Duty to act personally;
- Duty to act collectively; and
- Duty to keep accounts.

## **Accountable to**

As the board of trustees are responsible and liable for the governance and functioning of the charity, they are accountable in varying degrees to a variety of stakeholders, including: beneficiaries, funders, the Charity Commission, and other regulators.

Furthermore, there is a growing demand within the sector and the wider general public, for charities to be open and accountable for their actions and inactions. Evolving best practice would therefore lead trustees to consider the wider implications of the decisions they make, and to communicate widely the formal reasons behind such decisions or actions. Above all else, trustees must adhere to any legal and regulatory requirements applicable to the charity's activities.

## **Declaration**

I, ....., confirm that I have read and understood the above, and that I have received a copy of the *The Essential Trustee (guidance produced by The Charities Commission)*, which I have also read and understood.

As a result I agree to accept the position of Trustee of The David Mather Foundation, and that I understand my responsibilities in respect of this.

Signed:

Position:

Date: